

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES
OF THE TOWN OF NAGS HEAD, NORTH CAROLINA**

BE IT ORDAINED by the Board of Commissioners of the Town of Nags Head, North Carolina, that the Code of Ordinances shall be amended as follows:

PART I. That Section 10-84, Temporary pool fence, be amended as follows:

Sec. 10-84. Temporary pool fence.

The property owner and general contractor for all building permit applications which include the construction of outdoor pool facilities shall be responsible for the installation and maintenance of a temporary fence around the proposed pool. The temporary pool fence required by this section shall be installed prior to the commencement of pool construction and maintained until such time the permanent pool barrier as required by the state building code is installed. Temporary fencing construction shall be a minimum of 3 feet in height and may be constructed of high vinyl or wood sand fence supported by minimum 2"x4"posts, installed at least 2 feet in the ground, maximum 8 foot center spacing. The building inspector may consider other types of fencing or barrier protection that meet or exceed the above construction specifications. The location of the temporary fence shall be no closer than 5 feet to the sides of the pool and may extend outward to the boundaries of the property. The location of the temporary fence shall be shown on an accompanying site plan and approved by the building inspector as providing complete perimeter coverage of the pool area.

PART II. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

PART III. This ordinance shall be in full force and effect from and after the **2nd** day of **November, 2005**.

Robert W. Muller, Mayor

ATTEST:

Carolyn F. Morris, Town Clerk

APPROVED AS TO FORM:

Donald I. McRee, Jr., Town Attorney

Date adopted: **November 2, 2005**

Motion to adopt by Commissioner _____

Motion seconded by Commissioner _____

Vote: _____ AYES _____ NAYS